

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Canceled)
2. (Currently amended) The method of claim [1] 5, further comprising the step of:  
sealing said top of pie dough to the bottom of said pie shell, thereby  
sealing said pie filled with frozen fruit ~~filled pie~~.
3. (Currently amended) The method according to claim 2, wherein said method further includes the steps of:  
conveying said pie filled with frozen fruit ~~filled pie~~ through a freezer; and  
conveying said pie filled with frozen fruit ~~filled pie~~ to a packaging area  
and packaging said pie filled with frozen fruit ~~filled pie~~.
4. (Canceled)
5. (Currently Amended) ~~The method according to claim 4, wherein the formula for said suspension is:~~ A method for manufacturing a pie filled with frozen fruit, said method comprising the steps of:  
                    mixing ingredients to create pie dough;  
                    forming a portion of said pie dough into a pie shell;  
                    adding individually quickly frozen ("IQF") fruit into said pie shell;  
                    depositing a suspension over said IQF fruit in said pie shell, wherein said  
suspension comprises:  
a range of about 38% to about 88% liquid sweetener;  
a range of about 5% to about 55% dry sweetener;  
a range of about 4% to about 15% food starch; and  
a range of about [.001%] 0.01% to about 5% food gum; and

applying a top sheet of pie dough over said suspension, IQF fruit and pie shell.

6. (Currently amended) The method according to claim [5] 1, wherein ~~the formula for~~ said suspension further ~~includes~~ comprises:

a range of about 0% to about 8% oily material;

a range of about 0% to about 4% flavorants; and

a range of about 0% to about 3% minor ingredients chosen from the group consisting of : processing aids, preservatives, and colors, ~~etc.~~

7. (Currently amended) The method according to claim [4] 5, wherein said liquid sweetener is chosen from the group consisting of: high fructose corn syrup, corn syrup, invert syrup, and saturated saccharide solution.

8. (Currently amended) The method according to claim [4] 5, wherein said food gum is chosen from the group consisting of: alginate, carrageenan, locust bean gum, guar gum, xanthan gum, and gellan gum.

9. (Currently amended) The method according to claim [9] 5, wherein [the] manufacturing [of] said suspension[, ] includes the steps of:

metering the liquid sweetener into a mixing vessel;

blending the dry ingredients; and

adding said dry ingredients to said liquid sweetener while mixing.

10. (Original) The method according to claim 9, further including the step of:  
continuing mixing until said dry ingredients are uniformly distributed into said liquid sweetener.

11. (Currently amended) The method according to claim [1] 5, wherein said IQF fruit remains frozen throughout the manufacturing process and is not thawed until the end user bakes the pie filled with frozen fruit ~~filled pie~~.

12. (Currently amended) The method according to claim [1] 5, wherein ~~the distribution of~~ depositing said starch and [gums] gum within the IQF fruit prior to baking creates a glossy smooth appearance upon the finished frozen fruit pie filling.

13. (Currently amended) The method of claim [1] 5, wherein said suspension exhibits a ~~[rapid]~~ reduction of viscosity when exposed to heat.

14. (Currently amended) The method according to claim [1] 5, wherein said suspension exhibits ~~a rapid~~ an increase of viscosity when exposed to temperatures above 120 degrees Fahrenheit.

15. (Currently amended) The method according to claim [1] 5, wherein the use of said suspension ~~created~~ creates a stable suspension of the ~~ingredients~~ suspension and the IQF fruit.

16. (Canceled)

17. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein said process further includes sealing said top sheet of pie dough to the bottom of said pie shell, thereby sealing said pie filled with frozen fruit ~~filled pie~~.

18. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 17, wherein said process further includes:

conveying said pie filled with frozen fruit ~~filled pie~~ through a freezer; and  
conveying said frozen fruit pie to a packaging area and packaging said  
pie filled with frozen fruit ~~filled pie~~.

19. (Canceled)

20. (Currently amended) ~~The frozen fruit filled pie according to claim 19, wherein the formula for said suspension is:~~ A pie filled with frozen fruit, said pie filled with frozen fruit manufactured by the process of:

mixing ingredients to create pie dough;

forming a portion of said pie dough into a pie shell;

adding individually quickly frozen ("IQF") fruit into said pie shell,

wherein said IQF fruit remains frozen throughout the

manufacturing process;

depositing a suspension over said IQF fruit in said pie shell, wherein said

suspension creates a stable suspension of the

suspension and the IQF fruit, and wherein said suspension comprises:

a range of about 38% to about 88 % liquid sweetener;

a range of about 5% to about 55% dry sweetener;

a range of about 4% to about 15% food starch; and

a range of about 0.01% to about 5% food gum; and

applying a top sheet of pie dough over said suspension, IQF fruit pie shell.

21. (Currently Amended) ~~The pie filled with frozen fruit filled pie according to claim 20, wherein the formula for said suspension further includes:~~

a range of about 0% to about 8% oily material;

a range of about 0% to about 4% flavorants; and

a range of about 0% to about 3% minor ingredients chosen from the group consisting of: processing aids, preservatives, and colors, etc.

22. (Currently Amended) ~~The pie filled with frozen fruit filled pie according to claim 20, wherein said liquid sweetener is chosen from the group consisting of: high fructose corn syrup, corn syrup, invert syrup, and saturated saccharide solution.~~

23. (Currently Amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 20, wherein said food gum is chosen from the group consisting of: alginate, carrageenan, locust bean gum, guar gum, xanthan gum, and gellan gum.

24. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [21] 20, wherein [the] manufacturing [of] said suspension[,] includes the steps of :  
metering liquid sweetener into a mixing vessel;  
blending the dry ingredients; and  
adding said dry ingredients to said liquid sweetener while mixing.

25. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim 24, wherein the manufacturing of said suspension, includes the step of:  
continuing mixing until said dry ingredients are uniformly distributed into  
said liquid sweetener.

26. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein ~~the distribution of~~ depositing said starch and [gums] gum within the IQF fruit prior to baking creates a glossy smooth appearance upon the finished filling of the pie filled with frozen fruit ~~filled pie filling~~.

27. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein said suspension exhibits a [rapid] reduction of viscosity when exposed to heat.

28. (Currently amended) The pie filled with frozen fruit ~~filled pie~~ according to claim [16] 20, wherein said suspension exhibits ~~a rapid~~ an increase of viscosity when heated or exposed to temperatures ~~below~~ above 120 degrees Fahrenheit.

29 - 34. (Canceled)

35. (Canceled)

36. (Currently amended) The method according to claim [35] 39, further comprising the steps of:

sealing said top sheet of pie dough to the bottom of said pie shell, thereby  
sealing said pie filled with frozen fruit ~~filled pie~~; and  
freezing said pie filled with frozen fruit ~~filled pie~~.

37. (Currently amended) The method according to claim [35] 39, wherein [the] manufacturing [of] said suspension[,] includes the steps of:

metering liquid sweetener into a mixing vessel;  
blending the dry ingredients; and  
adding said dry ingredients to said liquid sweetener while mixing.

38. (Currently amended) The method according to claim 37, wherein [the] manufacturing [of] said suspension[,] further includes the steps of:

continuing execution of said mixing and ~~stirring elements~~ adding steps  
until said dry ingredients are uniformly distributed into said liquid sweetener.

39. (Currently amended) ~~The method according to claim 35, wherein the formula for said suspension is:~~ A method for suspending frozen fruit in a pie filled with frozen fruit having ingredients of various specific gravities, said method comprising the steps of:

mixing a first set of ingredients to form a suspension, said suspension comprised  
of:

a range of about 38% to about 88% liquid sweetener;  
a range of about 5% to about 55% dry sweetener;  
a range of about 4% to about 15% food starch; and  
a range of about 0.01% to about 5.0% food gum;

mixing a second set of ingredients to create pie dough;

forming a portion of said pie dough into a pie shell;

adding individually quickly frozen ("IQF") fruit into said pie shell;

adding said suspension over said IQF fruit in said pie shell, said suspension used to suspend said IQF fruit in a uniform distribution upon baking of said pie filled with frozen fruit; and  
applying a top sheet of pie dough over said suspension, IQF fruit and pie shell.

40. (Currently amended) The method according to a claim 39, wherein the ~~formula~~ ~~for said~~ suspension further includes:

- a range of about 0% to about 8% oily material;
- a range of about 0% to about 4% flavorants; and
- a range of about 0% to about 3% minor ingredients chosen from the group consisting of: processing aids, preservatives, and colors, ~~etc.~~

41. (Currently amended) The method according to claim [35] 39, wherein IQF fruit remains frozen throughout the manufacturing process.

42. (Currently amended) The method according to claim [35] 39, wherein ~~the distribution of~~ depositing said starch and [gums] gum within the IQF fruit prior to baking creates a glossy smooth appearance upon the finished filling of the pie filled with frozen fruit ~~filled pie filling~~.

43. (Currently amended) The method according to claim [35] 39, wherein said suspension exhibits a [rapid] reduction of viscosity when exposed to heat.

44. (Currently amended) The method according to claim [35] 39, wherein said suspension exhibits ~~a rapid~~ an increase of viscosity when exposed to temperature increases above 120 Fahrenheit.